

Proposed Text

§1950. Continuing Education Requirements.

(a) Except as provided in section 1951, every licensee is required, as a condition to renewal of a license, to certify that he or she has completed the continuing education requirements set forth in this article. A licensee who cannot verify completion of continuing education by producing certificates of activity completion, whenever requested to do so by the Board, may be subject to disciplinary action under section 8641 of the code.

(b) Each licensee is required to gain a certain number of continuing education hours during the three-year renewal period. The number of hours required depends on the number of branches of pest control in which licenses are held. The subject matter covered by each activity shall be designated as "technical" or "general" by the Board when the activity is approved. Hour values shall be assigned by the Board to each approved educational activity, in accordance with the provisions of section 1950.5.

(c) Operators and field representatives shall gain 20 continuing education hours if licensed in one branch of pest control, 24 hours if licensed in two branches of pest control, and 28

hours if licensed in three branches of pest control. ~~licensed in one branch of pest control shall gain 16 continuing education hours during each three year renewal period. Operators licensed in two branches of pest control shall gain 20 continuing education hours during each three year renewal period. Operators licensed in three branches of pest control shall gain 24 continuing education hours during each three year renewal period.~~ In each case, a minimum of four continuing education hours in a technical subject directly related to each branch of pest control held by the licensee must be gained for each branch license, a minimum of four continuing education hours shall be in an ethics activity, and a minimum of eight hours must be gained from Board approved courses on the Structural Pest Control Act, the Rules and Regulations, or structural pest control related agencies' rules and regulations. Four of the total hours shall be in any category of the licensees' choice.

~~(d) Field representatives licensed in one branch of pest control shall have completed 16 continuing education hours, field representatives licensed in two branches of pest control shall have completed 20 continuing education hours, field representatives licensed in three branches of pest control shall have completed 24 continuing education hours during each three year renewal period. In each case, a minimum of four continuing education hours in a technical subject directly related to each branch of pest control held by the licensee must be gained for each branch of pest control licensed and a minimum of eight hours must be gained from Board approved courses on the Structural Pest Control Act, the Rules and Regulations, or structural pest control related agencies' rules and regulations.~~

~~(e)~~ (f) Operators who hold a field representative's license in a branch of pest control in which they do not hold an operator's license must gain four of the continuing education hours required by section 1950(c) in a technical subject directly related to the branch or branches of pest control in which the field representative's license is held, in order to keep the field representative's license active.

~~(f)~~ (g) No course, including complete operator's courses developed pursuant to section 8565.5, may be taken more than once during a renewal period for continuing education hours.

NOTE: Authority cited: Section 8525, Business and Professions code. Reference: Section 8593, Business and Professions Code.

Proposed Text

§1950.5. Hour Value System.

The following hour values shall be assigned to the educational activities approved by the Board. All educational activities must be submitted to the Board for approval before presentation for continuing education credit, in accordance with section 1953. Each activity approved for technical or rules and regulations continuing education hours must include a written examination to be administered at the end of the course.

Examinations administered at the end of the course must consist of ten questions per one hour of instruction, with 40 questions minimum for any activity of instruction of four hours or more. Licensees must obtain a passing score of 70% or better in order to obtain a certificate of course completion. If the examination is failed, the licensee shall be allowed to be reexamined by taking a different examination within sixty days.

(a) Accredited college courses - 10 hours for each 2 semester-unit course; 16 hours for each 3 semester-unit course.

(b) Adult education courses - 6 hours

(c) Professional seminars or meetings - up to a maximum of 6 hours per seminar or meeting. Additional hours may be approved depending on the complexity of the activity and its relevance to new developments in the field of pest control.

(d) Technical seminars or meetings - up to a maximum of 6 hours per seminar or meeting. Additional hours may be approved depending on the complexity of the activity and its relevance to new developments in the field of pest control. ~~Each approved technical seminar or meeting must include an examination to be administered at the end of the course. Licensees must obtain a passing score of 70% or better in order to obtain a certificate of course completion. If the examination is failed, the licensee shall be allowed to be reexamined by taking a different examination within sixty days.~~

(e) Operators' courses approved by the Board pursuant to section 8565.5 of the code - 1 hour per hour of instruction.

(f) Correspondence courses developed by the Board pursuant to section 8565.5 of the code - full credit per branch.

(g) Correspondence courses approved by the Board - hours will be assigned depending on the complexity of the course and its relevance to new developments in the field of pest control.

~~(h) Equivalent activities, including teaching approved courses and publishing technical articles - 1 to 6 hours per activity, depending on the complexity of the activity and its relevance to new developments in the field of pest control.~~

~~(i)~~(h) Association meetings - 1 hour for every hour of instruction up to a maximum of 4 hours per meeting.

~~(j)~~(i) Structural Pest Control Board meetings – **1 general hour and 1 rule and regulation hour 2 hours** per meeting, up to a maximum of ~~6~~ **4** hours per renewal period (excluding Board Members.) **This activity is exempt from examination requirements pursuant to this section.**

~~(k)~~(j) Structural Pest Control Board Committee meetings - 1 hour per meeting, up to a maximum of 2 hours per renewal period (excluding Board Members).

~~(l)~~(k) In-house training in technical subjects - 1 hour per hour of instruction.

~~(m)~~(l) Board approved Rules and Regulations courses - 1 hour for every hour of instruction. ~~Each approved activity must include an examination to be administered at the end of the course. Licensees must obtain a passing score of 70% or better in order~~

~~to obtain a certificate of course completion. If the examination is failed, the licensee shall be allowed to be reexamined by taking a different examination within sixty days.~~

NOTE:

The Bold underlined language represents proposed language voted on at the January 22, 2004 Board meeting. The other underlined language represents proposed language voted on by the Board at the October 17, 2003 Board meeting.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8560 and 8593, Business and Professions Code

Proposed Text

§1951. Examination in Lieu of Continuing Education.

In lieu of continuing education, a licensee ~~licensed operator or field representative~~ may qualify for renewal by taking and passing an examination designed by the Board to cover developments in the field of pest control. Licensees ~~Licensed operators or field representatives~~ who choose this method of qualifying for renewal may take this examination only once, and must take the examination no earlier than one year prior to their license expiration date. A score of 70% or higher shall be considered a passing grade on this examination.

NOTE: Authority cited: Sections 8525, Business and Professions Code. Reference: Sections 8560 (c) and 8593, Business and Professions Code.

Proposed Text

§1953. Approval of Activities.

(a) Providers of activities of continuing education in pest control shall request approval as a provider and of activities on forms provided by the Board (See Form 43M-18 (Rev. 3/87) at the end of this section) accompanied by the required fees. Requests for approval of activities must be submitted to the Board no later than 60 days prior to presentation of the activity unless exception is granted by the Registrar.

(b) All providers must notify the Board 30 days prior to the presentation of any board approved activity, unless exception is granted by the Registrar.

(c) All providers must submit a course attendance roster (See Form No. 43M-46(New 3/93) at the end of this section) to the Structural Pest Control Board within five working days after every course instructed.

(d) After giving the provider a written notice and an opportunity to respond, the Board may withdraw approval of any activity, when good cause exists. Good cause shall include, but not be limited to, failure actually to meet the standards for approval of activities which are outlined in subsection (f) of this section.

(e) Unless otherwise indicated on the written notification of approval, or unless an approval is withdrawn by the Board at an earlier date, approval of each activity shall remain in effect for 3 years.

(f) In order to be approved, activities must be:

(1) Directly related to the field of structural pest control;

(2) Provided by an institution, association, university, or other entity assuming full responsibility over the course program;

(3) Composed of a formal program of learning which requires:

A) attendance and participation, and which provides

(B) at least one hour of instruction;

(C) a syllabus (detailed outline of the main points of the curriculum);

(D) an evaluation method on Form No. 43M-39 (NEW 5/87 Rev. 10/03), costs of postage which shall be incurred by the provider (which is printed at the end of this section),

(E) a certificate of completion on Form No. 43M-38 (NEW 5/87) (which is printed at the end of this section); and,

(4) Conducted by an instructor who has qualified by meeting two of the following experience requirements:

(A) Completion of training in the subject of the activity,

(B) Six months' experience working in the area covered by the activity within the preceding three years,

(C) Experience teaching a activity of similar content within the preceding five years,

(D) Completion of any post-secondary studies related to the subject matter of the activity,

(E) Author of the activity being reviewed, or a credentialed instructor.

(g) No activity which focuses on the policies, or procedures ~~or products~~ of a single firm, ~~or which consists of meetings which are a normal part of in-house staff or employee training~~ shall be approved.

STUDENT QUESTIONNAIRE

The Structural Pest Control Board would like your feedback on the continuing education activity you have just taken. Please fill out this card and submit this evaluation form directly to the Structural Pest Control Board. Do not submit this form to the course provider.

Course No. _____ Disagree – Strongly Agree

	1	2	3	4	5
1. I learned something new during this course.					
2. Examination questions reflected the course materials.					
3. The provider covered the topic(s) adequately.					
4. The course meets your expectations.					
5. How could this course be improved?					

Name (optional)

You may contact the Structural Pest Control Board by email, by going to our website: www.pestboard.ca.gov.

43M-39 (~~New 5/87~~ Rev. 10/03)

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8593, Business and Professions Code

Adopted Proposed Text

§1993.1 Reinspection Language

The following statement must appear on any wood destroying pests and organisms inspection report when an estimate or bid for making repairs was given with the original inspection report, or thereafter:

“This company will reinspect repairs done by others within four months of the original inspection. A charge, if any, can be no greater than the original inspection fee for each reinspection. The reinspection must be done within ten (10) working days of request. The reinspection is a visual inspection and if inspection of concealed areas is desired, inspection of work in progress will be necessary. Any guarantees must be received from parties performing repairs.”

NOTE: Authority cited: Section 8525.5 Business and Professions Code.

Reference: Section 8516, Business and Professions Code.

Adopted Proposed Text

1922.3 Course requirement by County Agricultural Commissioners

(a) When, pursuant to Business and Professions Code section 8617, a lawful order is made by a county agricultural commissioner to direct a licensee to take and pass a board approved course of instruction, the licensee prior to taking the course shall submit the name of the course and documentation regarding its content to the same agricultural commissioner for review and approval.

(b) The submittal for approval shall be made within twenty (20) days of the order. The county agricultural commissioner shall make a decision and respond to the licensee within twenty (20) days.

(c) The course of instruction shall have content that directly addresses applicable pesticide use laws, regulations and the practice of structural pest control relating to the violations committed. After completion of the approved course, the licensee shall take and pass an examination provided by the course provider that directly relates to the course content. A passing score for the examination shall reflect that the licensee correctly answered at least seventy percent (70%) of the examination questions.

(d) After passing the examination, the licensee shall obtain a certificate of course completion from the course provider. As proof of compliance, the licensee shall submit the certificate to the county agricultural commission who issued the Notice of Proposed Action within twenty (20) days of course completion.

(e) The licensee must comply with the order within ninety (90) days. The commissioner shall have the discretion to extend this date up to one hundred eighty (180) days after issuance of the Notice of Proposed Action.

NOTE: Authority cited: Section 8525, Business and Professions Code
Reference: Sections 138, 680, Business and Professions Code.